

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 769

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

Pre-filed December 1, 2003, and ordered printed.

Read 2nd time January 8, 2004, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee February 2, 2004, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 9, 2004. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

3143S.01P

AN ACT

To repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to dissolution of road districts in certain counties.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 233.295, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 233.295, to read as follows:

233.295. 1. Whenever a petition, signed by the owners of a majority of the acres of land, within a road district organized under the provisions of sections 233.170 to 233.315 shall be filed with the county commission of any county in which such district is situated, setting forth the name of the district and the number of acres owned by each signer of such petition and the whole number of acres in such district, the county commission shall have power, if in its opinion the public good will be thereby advanced, to disincorporate such road district. No such road district shall be disincorporated until notice is published in at least one newspaper of general circulation in the county where the district is situated for four weeks successively prior to the hearing of such petition.

2. In any county with a population of at least thirty-two thousand inhabitants which adjoins a county of the first classification which contains a city with a population of one hundred thousand or more inhabitants that adjoins no other county of the first classification, whenever a petition signed by at least fifty registered voters residing within the district organized under the provisions of sections 233.170 to 233.315 is filed with the county clerk of the county in which the district is situated, setting forth the name of the district and requesting the disincorporation of such district, the county clerk shall certify for election the

following question to be voted upon by the eligible voters of the district:

Shall the..... incorporated road district organized under the provisions of sections 233.170 to 233.315, RSMo, be dissolved?

☐ YES ☐ NO

If a majority of the persons voting on the question are in favor of the proposition, then the county commission shall disincorporate the road district.

3. The petition filed pursuant to subsection 2 of this section shall be submitted to the clerk of the county no later than eight weeks prior to the next countywide election at which the question will be voted upon.

4. Notwithstanding other provisions of this section to the contrary, in any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants, any petition to disincorporate a road district shall be filed with the county clerk. The petition shall be signed by at least fifty registered voters in the county, shall state the name of the district, and shall request the disincorporation of the district. The petition shall be submitted to the county clerk no later than eight weeks before the next countywide election at which the question will be voted upon. Upon the filing of the required petition, the county clerk shall certify for election the following question to be voted upon by the qualified voters of the district:

Shall the incorporated road district organized pursuant to sections 233.170 to 233.315, RSMo, be dissolved?

☐ YES ☐ NO

If a majority of the qualified voters voting on the question are in favor of the proposition, then the county commission shall disincorporate the road district.

5. The provisions of subsection 4 of this section shall not apply to any road district which is located within two counties.